

FORM PTO-1390 (Modified)
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

84086

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

10/009980INTERNATIONAL APPLICATION NO.
PCT/ES01/00079INTERNATIONAL FILING DATE
March 02, 2001PRIORITY DATE CLAIMED
March 08, 2000

TITLE OF INVENTION

MOLECULAR METHODS FOR DETECTING GUAR GUM ADDITIONS TO LOCUST BEAN GUM

APPLICANT(S) FOR DO/EO/US

Benedi Benito et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☒ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

STATEMENT UNDER 37 C.F.R. Section 1.821(f)**Paper copy of Sequence Listing****Unexecuted copy of Declaration and Power of Attorney**

| | | | | | |
|---|--------------|--|-----------|--|----|
| U.S. APPLICATION NO. (IF KNOWN) SEE 37 CFR <div style="font-size: 2em; font-weight: bold; margin-top: 5px;">107009980</div> | | INTERNATIONAL APPLICATION NO. <div style="font-weight: bold; margin-top: 5px;">PCT/ES01/00079</div> | | ATTORNEY'S DOCKET NUMBER <div style="font-weight: bold; margin-top: 5px;">84086</div> | |
| 24. The following fees are submitted:. BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : <input checked="" type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 <div style="text-align: right; font-weight: bold; margin-top: 5px;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div> | | | | CALCULATIONS PTO USE ONLY <div style="border: 1px solid black; height: 100px; width: 100%;"></div> | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input checked="" type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)). | | | | <div style="border: 1px solid black; padding: 2px;">\$1,040.00</div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">\$130.00</div> | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | 7 - 20 = | 0 | x \$18.00 | \$0.00 | |
| Independent claims | 4 - 3 = | 1 | x \$84.00 | \$84.00 | |
| Multiple Dependent Claims (check if applicable). <input type="checkbox"/> | | | | \$0.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$1,254.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2. | | | | \$0.00 | |
| SUBTOTAL = | | | | \$1,254.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). | | | | \$0.00 | |
| TOTAL NATIONAL FEE = | | | | \$1,254.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/> | | | | \$0.00 | |
| TOTAL FEES ENCLOSED = | | | | \$1,254.00 | |
| | | | | Amount to be refunded | \$ |
| | | | | charged | \$ |
| a. <input checked="" type="checkbox"/> A check in the amount of <u> \$1,104.00 </u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. <u> 23-0920 </u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u> 23-0920 </u> A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: <div style="border: 1px solid black; padding: 5px;"> Shannon L. Nebolsky WELSH & KATZ, LTD. 120 South Wacker Drive - 22nd Floor Chicago, Illinois 60606 (312) 655-1500 (Phone) (312) 655-1501 (Fax) </div> | | | | | |
| | | | | <div style="text-align: center;"> SIGNATURE </div> <div style="text-align: center; margin-top: 10px;"> Shannon L. Nebolsky NAME </div> <div style="text-align: center; margin-top: 10px;"> 41,217 REGISTRATION NUMBER </div> <div style="text-align: center; margin-top: 10px;"> November 8, 2001` DATE </div> | |

1U/009980

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
DESIGNATED/ELECTED OFFICE (DO/EO/US)CERTIFICATE OF MAILING BY "EXPRESS MAIL"
(PATENT)Express Mail No. EL642288403USDeposited November 8, 2001

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Attn: Box PCT, Washington, D.C. 20231.

By: Bennett Velosky

- RE: National phase filing in the U.S. Designated/Elected Office
Concerning a Filing Under 35 U.S.C. 371 – Based on
International Application No. PCT/ES01/00079, Filed
March 2, 2001 – Priority Date Claimed: March 8, 2000 (Spanish
Application No. P200000560)
- (X) Transmittal Letter to the United States Designated/Elected Office (Form PTO-1390 (Modified)) (REV 11-2000)
 - (X) Application Data Sheet (4 pages)
 - (X) Copy of International Application No. PCT/ES01/00079 with attached International Search Report, including abstract, specification (23 pages), Claims (3 pages), Drawings (9 pages), and Sequence Listing (4 pages)
 - (X) English translation of International Application including specification, claims, and Abstract (30 pages), 9 pages of drawings, and 4 pages of Sequence Listing
 - (X) Substitute application, including 28 ^{1 Abstract} pages of specification, 9 pages of claims, 9 pages of Drawings, and 4 pages of Sequence Listing
 - (X) Declaration and Power of Attorney (In Spanish and English) (4 pages)
 - (X) Statement Under 37 CFR §1.821(f)
 - (X) Computer Readable Form of the Sequence Listing
 - (X) Check in the amount of \$1254.00
 - (X) Preliminary Amendment
 - (X) Postcard receipt

Attorney Docket No. 84086